



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
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TECHNICAL STAFF REPORT

ADDENDUM

October 20, 2008

Case No./Petitioner: ZRA - 106 - James R. Buch Jr. and Frances M. Buch

Revised request: Zoning Regulation Amendment to Section 127.5 (CAC: Corridor Activity Center District) to add a provision to permit apartment and single-family attached uses within a Route 1 Corridor development project of less than two acres if the property is contiguous to CAC development which has received an approved sketch plan or site development plan.

Department of Planning and Zoning Recommendation:

DENIAL

I. DESCRIPTION OF PROPOSAL

- The revised proposed language would allow residential development which is currently permitted only within projects of at least two gross acres to be allowed on parcels of less than two acres provided they are contiguous to a CAC development which has received an approved sketch plan or site development plan.
- The complete proposed amendment text is attached to this Technical Staff Report as Attachment A.

IV. EVALUATIONS AND CONCLUSIONS

- While the proposed revision would further limit the number of parcels affected by the revised amendment over the original proposal, DPZ's position remains unchanged. The potential to affect an unknown number of parcels would remain and the goals of the CAC District would have the potential to be undermined.

Additionally, the proposed revision raises a new unresolved question which could arise if a non-consolidated contiguous parcel was in the plan approval process under the provisions of the amendment, and the approved sketch or site development plan on which it was dependent for development expired because building permits were not sought.

Implications for CAC parcels that are small and not part of an assemblage for a vicinal CAC development cannot easily be determined. To do so requires further research and evaluation. If appropriate, DPZ would propose a future ZRA after research and evaluation.

V. RECOMMENDATION

DENIAL

For the reasons noted above, the Department of Planning and Zoning recommends that ZRA-106, as noted above, be **DENIED**. Although not an endorsement of the proposal, should the Planning Board recommend Approval, the Department of Planning and Zoning recommends the modification noted in Attachment A.

	10/20/08
Marsha S. McLaughlin, Director	Date

ATTACHMENT A

Petitioner Proposed Text

(CAPITALS indicate text to be added (by original proposal); ~~strikethrough~~ indicate text deleted from original proposal; **BOLD CAPITALS** indicates text proposed in this revision.)

SECTION 127.5 CAC (Corridor Activity Center) District

B. Uses Permitted as a Matter of Right

17. Dwellings, apartment and single-family attached, only within a Route 1 Corridor development project with at least 2 gross acres of CAC-zoned land OR LESS THAN 2 ACRES IF THE PROPERTY IS ~~ADJACENT CONTIGUOUS TO A CAC-ZONED PROPERTY~~ **DEVELOPMENT, WHICH HAS RECEIVED AN APPROVED SKETCH PLAN OR SITE DEVELOPMENT PLAN.**

DPZ Proposed Text

(CAPITALS indicate text to be added (by original proposal); ~~strikethrough~~ indicate text deleted from original proposal; **BOLD CAPITALS** indicates text proposed in this revision; ***BOLD CAPITAL ITALICS*** indicate DPZ text to be added.)

SECTION 127.5 CAC (Corridor Activity Center) District

B. Uses Permitted as a Matter of Right

18. Dwellings, apartment and single-family attached, only within a Route 1 Corridor development project with at least 2 gross acres of CAC-zoned land OR LESS THAN 2 ***GROSS ACRES*** IF THE PROPERTY IS ~~ADJACENT CONTIGUOUS TO A CAC-ZONED PROPERTY~~ **DEVELOPMENT WHICH HAS RECEIVED *FINAL APPROVAL OF A* AN APPROVED SKETCH PLAN OR SITE DEVELOPMENT PLAN.**